

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CENTRO PRESENTE, a membership organization,
et al.,

Plaintiffs,

v.

JOSEPH R. BIDEN, JR., President of the United
States, in his official capacity, *et al.*,

Defendants.

No. 1:18-cv-10340 (DJC)

JOINT STATUS REPORT

As directed by this Court’s April 13, 2021 Order (ECF No. 151), following submission of the parties’ last Joint Status Report on April 8, 2021 (ECF No. 150), Plaintiffs and Defendants respectfully submit this Joint Status Report. The parties jointly request for this Court to extend the stay in this case to September 14, 2021, for the new administration to continue to assess how it wishes to proceed in this litigation and to give further consideration of the Temporary Protected Status (“TPS”) determinations at issue in this case—Haiti, El Salvador, and Honduras.

Since the last status report, the Secretary of the Department Homeland Security, Alejandro N. Mayorkas, announced a new 18-month designation of Haiti for Temporary Protected Status (TPS). *See* <https://www.dhs.gov/news/2021/05/22/secretary-mayorkas-designates-haiti-temporary-protected-status-18-months>. “This new TPS designation enables Haitian nationals (and individuals without nationality who last resided in Haiti) currently residing in the United States as of May 21, 2021 to file initial applications for TPS, so long as they meet eligibility requirements.” *Id.* In the meantime, the terminations of TPS for El Salvador and Honduras remain either enjoined or stayed per court order. *See Ramos v. Nielsen*, No. 18-16981 (9th Cir.) (April 20, 2021 order

extending stay through June 25, 2021 of consideration of rehearing en banc petition for appeal, and thus stay of any mandate, of panel's decision to reverse injunction of TPS terminations for, *inter alia*, El Salvador); *Bhattarai v. Nielsen*, Case No. 3:19-cv-731-EMC (N.D. Cal.), ECF No. 23, at ¶ 6 (court order staying termination of TPS for Honduras pending *Ramos* appeal).¹ Accordingly, the parties respectfully request to continue the stay in this matter through September 14, 2021.

¹ The termination of TPS for Haiti also remains enjoined. *See Saget v. Trump*, No. 19-1685 (2d Cir.) (March 9, 2021 order also requiring periodic 30-day status reports); *see also See Ramos v. Nielsen*, No. 18-16981 (9th Cir.) (April 20, 2021 order). The parties in those cases have not yet had an opportunity to fully address the effect of the recently announced Haiti TPS designation on the proceedings in those cases.

Respectfully submitted,

Plaintiffs.

By their attorneys,

/s/ Justin Wolosz

Eric J. Marandett (BBO# 561730)

Justin J. Wolosz (BBO# 643543)

Anna S. Roy (BBO# 703884)

CHOATE, HALL & STEWART LLP

Two International Place

Boston, Massachusetts 02110

(617) 248-5000

Oren Sellstrom (BBO# 569045)

Lauren Sampson (BBO #704319)

Iván Espinoza-Madriral (Admitted *Pro Hac Vice*)

LAWYERS FOR CIVIL RIGHTS

61 Battery March Street, 5th Floor

Boston, Massachusetts 02110

(617) 988-0624

Dated: June 7, 2021

Defendants

By their attorneys,

BRIAN M. BOYNTON

Acting Assistant Attorney General

BRIGHAM J. BOWEN

Assistant Branch Director

/s/ Adam Kirschner

ADAM D. KIRSCHNER

IL Bar. No. 6286601

Senior Trial Counsel

United States Department of Justice

Civil Division, Federal Programs Branch

1100 L Street NW, Room 11020

Washington, DC 20530

Tel: (202) 353-9265

Fax: (202) 616-8460

Email: adam.kirschner@usdoj.gov

Mailing Address:

Post Office Box 883

Washington, D.C. 20044

Courier Address

1100 L Street NW, Room 11020

Washington, D.C. 20005

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

Dated: June 7, 2021

/s/ Adam Kirschner